

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN SCOTT MENDENHALL**, on February 2, 2005  
at 3:00 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Jill Cohenour, Vice Chairman (D)  
Rep. Bernie Olson, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. John Balyeat (R)  
Rep. Bob Bergren (D)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Gary MacLaren (R)  
Rep. Bruce Malcolm (R)

##### **Members Excused:**

Rep. Larry Jent (D)  
Rep. Monica Lindeen (D)

**Members Absent:** None.

**Staff Present:** Kyanne Kelly, Committee Secretary  
Leanne Kurtz, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HJ 12, 1/27/2005; HB 443,  
1/27/2005; HB 445, 1/27/2005  
Executive Action: HB 443, HB 445, HB 186, HB 269, HB  
385, HB 393, HB 398

**HEARING ON HJ 12**

**Opening Statement by Sponsor:**

REP. ROBIN HAMILTON (D), HD 92, opened the hearing on HJ 12,  
Encourage construction of roundabouts.

00:02:07

[EXHIBIT\(trh26a01\)](#)

**Proponents' Testimony:**

00:05:55 Loran Frazier, Department of Transportation

00:06:33 Spook Stang, Montana Motor Carriers Association

**Opponents' Testimony:** None

**Informational Testimony:**

00:08:33 Mike Duman, Federal Highway Administration

**Questions from Committee Members and Responses:**

00:09:04

**Closing by Sponsor:**

00:13:06

**HEARING ON HB 443**

**Opening Statement by Sponsor:**

REP. RICK MAEDJE (R), HD 2, opened the hearing on HB 443, Revise  
posting of highway construction zones.

00:13:31

**Proponents' Testimony:**

00:14:51 Gene Fenderson, Montana Laborers' Union

**Opponents' Testimony:** None

**Informational Testimony:**

00:16:58 Loran Frazier, Montana Department of  
Transportation

[EXHIBIT\(trh26a02\)](#)

[EXHIBIT\(trh26a03\)](#)

**Questions from Committee Members and Responses:**

00:17:39

**Closing by Sponsor:**

00:19:06

HEARING ON HB 445

Opening Statement by Sponsor:

REP. RICK MAEDJE (R), HD 2, opened the hearing on HB 445, Time limit on weigh station stops.

00:19:41\_\_

[EXHIBIT](#)(trh26a04)\_\_\_

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:21:55

Closing by Sponsor:

00:23:53

REP. MONICA LINDEEN entered the room

EXECUTIVE ACTION ON HB 443

Motion/Vote: REP. KEANE moved that HB 443 BE TABLED. Motion carried unanimously by voice vote. REPS. ARNTZEN and JENT voted by proxy.

EXECUTIVE ACTION ON HB 445

Motion/Vote: REP. KEANE moved that HB 445 BE TABLED. Motion carried unanimously by voice vote. REPS. ARNTZEN and JENT voted by proxy.

EXECUTIVE ACTION ON HB 186

Motion: REP. BERGREN moved that HB 186 DO PASS.

Discussion:

00:27:09

[EXHIBIT](#)(trh26a05)

Motion: REP. BERGREN moved that HB 186 BE AMENDED.

Discussion:

00:27:52

Vote: Motion carried unanimously by voice vote. REPS. ARNTZEN and JENT voted by proxy.

Motion: REP. BERGREN moved that HB 186 DO PASS AS AMENDED.

Discussion:

00:32:09

Vote: Motion carried 10-2 by voice vote with REPS. GOLIE and KEANE voting no. REPS. ARNTZEN and JENT voted by proxy.

EXECUTIVE ACTION ON HB 269

Motion: REP. COHENOUR moved that HB 269 DO PASS.

Discussion:

00:33:46

[EXHIBIT](#)(trh26a06)

Motion: REP. GOLIE moved that HB 269 BE AMENDED.

Discussion:

00:34:15

Vote: Motion carried unanimously by voice vote. REPS. ARNTZEN and JENT voted by proxy.

Motion: REP. GOLIE moved that HB 269 DO PASS AS AMENDED.

Discussion:

00:41:45

Vote: Motion carried 8-4 by roll call vote with REPS. BALYEAT, BERGREN, MALCOLM, and MENDENHALL voting no. REPS. ARNTZEN and JENT voted by proxy.

REP. JENT entered the room

EXECUTIVE ACTION ON HB 385

Motion: REP. OLSON moved that HB 385 DO PASS.

Discussion:

01:03:25

[EXHIBIT](#)(trh26a07)

Motion: REP. OLSON moved that HB 385 BE AMENDED.

Discussion:

01:04:00

Vote: Motion carried unanimously by voice vote. REPS. ARNTZEN voted by proxy.

Motion: REP. OLSON moved that HB 385 DO PASS AS AMENDED.

Discussion:

01:06:03

[EXHIBIT](#)(trh26a08)

Motion: REP. OLSON moved that HB 385 BE AMENDED.

Discussion:

01:06:38

REP. ARNTZEN entered the room

Vote: Motion carried 8-4 by roll call vote with REPS. BERGREN, GOLIE, KEANE, and LINDEEN voting no.

Motion: REP. OLSON moved that HB 385 DO PASS AS AMENDED.

Discussion:

01:14:36

Vote: Motion carried 8-4 by roll call vote with REPS. BERGREN, GOLIE, KEANE, and LINDEEN voting no.

EXECUTIVE ACTION ON HB 393

Motion: REP. OLSON moved that HB 393 DO PASS.

Discussion:

01:16:19

[EXHIBIT](#)(trh26a09)

Motion: REP. OLSON moved that HB 393 BE AMENDED.

Discussion:

01:16:54

Vote: Motion carried unanimously by voice vote.

Motion: REP. OLSON moved that HB 393 DO PASS AS AMENDED.

Discussion:

01:19:09

Vote: Motion carried 8-4 by roll call vote with REPS. BERGREN, GOLIE, KEANE, and MALCOLM voting no.

EXECUTIVE ACTION ON HB 398

Motion: REP. OLSON moved that HB 398 DO PASS.

Discussion:

01:27:57

Vote: Motion failed 4-8 by roll call vote with REPS. COHENOUR, JENT, LINDEEN, and OLSON voting aye.

Motion/Vote: REP. BERGREN moved that HB 398 BE TABLED AND THE VOTE REVERSED. Motion carried 8-4 by voice vote with REPS. COHENOUR, JENT, LINDEEN, and OLSON voting no.

**ADJOURNMENT**

Adjournment: 4:45 P.M.

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REP. SCOTT MENDENHALL, Chairman

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KYANNE KELLY, Secretary

SM/kk

Additional Exhibits:

**EXHIBIT ([trh26aad0.PDF](#))**